

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Cancelled)
2. (Previously Presented) The module battery according to claim 13, wherein all the openings of the packing cases are covered so as to make the stacked battery packs air tight.
3. (Previously presented) The module battery according to claim 13, wherein space is provided between walls of the battery packs adjacent to each other.
4. (Original) The module battery according to claim 3, wherein the space is formed to allow fluid to flow therethrough and at least upstream region of the space is formed to be wider than the other region of the space.
5. (Original) The module battery according to claim 3, wherein the packing case of the battery pack is formed to have a cooling fin extending into the space.
6. (Previously presented) The module battery according to claim 13, wherein the packing case is comprised of a pair of case halves which sandwich and hold the battery cell.
7. (Original) The module battery according to claim 6, wherein at least one of the case halves is formed to have a locate pin, and the battery cell is provided with a through-hole to which the locate pin is fitted.
8. (Original) The module battery according to claim 6, wherein the case halves are symmetrically formed with respect to a plane.

9. (Previously presented) The module battery according to claim 13, wherein each of the packing cases of the battery packs is provided with a flange having sides to be aligned as the packing cases are stacked.

10. (Previously presented) The module battery according to claim 13, wherein each of the packing cases of the battery packs is provided with a flange serving as a spacer to provide space between the adjacent battery packs as the packing cases are stacked.

11. (Previously presented) The module battery according to claim 13, wherein the module battery comprises a lithium ion battery.

12. (Previously presented) A motor vehicle comprising a module battery according to claim 13.

13. (Currently amended) A module battery comprising:

a plurality of battery packs stacked on one another in a stacking direction, ~~including a first battery pack and a second battery pack stacked upon each other~~, each battery pack comprising:

at least one battery cell having a power generating element sealed in a film and a pair of electrode tab connecting to the power generating element and protruding from the film; and

a packing case for accommodating the battery cell which is provided with an opening ~~[[for]]~~ to expose the electrode tab of the battery cell to the outside of the packing case,

wherein the openings of the packing cases are arranged in the stacking direction at one side of the module battery~~to extend out from the packing case, wherein each of the openings is arranged linearly, and~~

wherein the battery packs include a first battery pack and a second battery pack, and the battery cells of the first and second battery packs are connected with each other via the electrode tabs of the respective battery cells~~a first electrode tab extending out from a first packing case of the first battery pack and a second electrode tab extending out from a second packing case of the second battery pack are connected to each other.~~

14-17. (Cancelled)

18. (Previously presented) A module battery according to claim 3, wherein the space provided between the walls of the battery packs adjacent to each other gradually increases from a middle portion of the battery packs to both ends of the battery packs.

19-21. (Cancelled)

22. (New) The module battery according to claim 13, further comprising:

a battery pack holder which holds the stacked battery packs together, wherein each of the openings of the packing cases are covered with the battery pack holder so as to make the stacked battery packs air tight.